



IFW 1621
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Senanayake et al.

Application No.: 09/998,195

Group Art Unit: 1621

Filed: December 3, 2001

Examiner: S. Kumar

For: SYNTHESIS, METHODS OF
USING, AND COMPOSITIONS
OF HYDROXYLATED
CYCLOBUTYLALKYLAMINES

Attorney Docket No.: 4821-409

PETITION FOR CORRECTION OF INVENTORSHIP
UNDER 37 C.F.R. § 1.48

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A correction of inventorship is respectfully requested under 37 C.F.R. § 1.48 for the above-identified application, to name the correct inventor of the claimed subject matter. The correct inventors are Chris H. Senanayake, Paul D. Rubin, Thomas P. Jerussi, and Zhi-Hui Lu. It is therefore respectfully requested that Zhi-Hui Lu be added as a named co-inventor of the above-identified application.

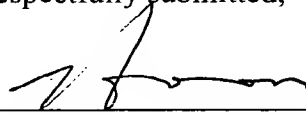
The requested correction is to correct an error in naming inventors that occurred without deceptive intention on the part of the above-identified persons. Statement from Zhi-Hui Lu, that the error in inventorship occurred without deceptive intention on his part, is enclosed. Also enclosed are a declaration executed by correct inventors under 37 C.F.R. § 1.63 and a consent by the Assignee, Sepracor Inc.

09/19/2005 HALI11 00000129 503013 09998195
01 FC:1464 130.00 DA

A fee of \$130.00 is believed due for this submission. Should any additional fees be due for this submission or to avoid abandonment of the application, please charge such fees to Jones Day Deposit Account No. 503013.

Respectfully submitted,

Date September 15, 2005



Hoon Choi (Limited Recog. No.)
Jones Day
51 Louisiana Avenue, N.W.
Washington, DC 20001-2113
(202) 879-3939

For: Anthony M. Insogna (Reg. No. 35,203)
Jones Day
12750 High Bluff Drive, Suite 300
San Diego, CA 92130
(858) 314-1200

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Senanayake et al.

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**STATEMENT IN SUPPORT OF PETITION FOR CORRECTION
OF INVENTORSHIP UNDER 37 C.F.R. § 1.48**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Zhi-Hui Lu, hereby state that I agree to the change of inventorship requested in the enclosed Petition, whereby I will be added as a named co-inventor in the above-identified patent application.

The requested correction is to correct an error in naming inventors that occurred without any deceptive intention on my part.

Respectfully submitted,

Date: 6/16/2005

By: Zhi-Hui Lu
Zhi-Hui Lu



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Senanayake et al.

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For: SYNTHESIS, METHODS OF
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Attorney Docket No.: 4821-409

CONSENT BY ASSIGNEE UNDER 37 C.F.R. § 1.48

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Sepracor Inc., located at 84 Waterford Drive, Marlborough, MA 01752, the Assignee of the entire right, title and interest in, to and under the invention and the above-identified U.S. patent application, filed December 3, 2001, entitled "SYNTHESIS, METHODS OF USING, AND COMPOSITIONS OF HYDROXYLATED CYCLOBUTYLALKYLAMINES," hereby consents to the correction of inventorship in the above-identified U.S. patent application to add Zhi-Hui Lu as a named co-inventor in said application.

Sepracor Inc. certifies that it is the Assignee of the entire right, title and interest in, to and under the invention of the above-identified U.S. patent application, by virtue of an assignment executed by Chris H. Senanayake, Paul D. Rubin, and Thomas P. Jerussi, the presently named co-inventors of said application. The assignment was recorded on February 12, 2002 at Reel 12580, Frame 0126.

Sepracor Inc. hereby declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Signed this 25th day of July, 2005,
Sepracor Inc.

By: 
Name: **KRISTINA L. BURGARD**
Title: **ASSISTANT SECRETARY**
SEPRACOR INC



JONES DAY DOCKET NO. 4821-409

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled
SYNTHESIS, METHODS OF USING, AND COMPOSITIONS OF HYDROXYLATED CYCLOBUTYLALKYLAMINES

and for which a patent application:

- ☐ is attached hereto and includes amendment(s) filed on (if applicable)
- ☒ was filed in the United States on December 3, 2001 as Application No. 09/998,195 (for declaration not accompanying application)
with amendment(s) filed on (if applicable)
- ☐ was filed as PCT international Application No. _____ on _____ and was amended under PCT Article 19 on (if applicable)

I hereby authorize and request my attorneys at Jones Day to insert herein parentheses (Application No. _____ filed _____) the filing date and application number of said application when known.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

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APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
			YES <input type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE
60/250,524	December 4, 2000
60/257,052	December 22, 2000

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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2 0 1	FULL NAME OF INVENTOR	LAST NAME Senanayake	FIRST NAME Chris	MIDDLE NAME H.	
	RESIDENCE & CITIZENSHIP	CITY Brookfield	STATE OR FOREIGN COUNTRY CT	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 12 Isabel's Way	CITY Brookfield	STATE OR COUNTRY CT	ZIP CODE 06804
	SIGNATURE OF INVENTOR 201 <i>Chris H. Senanayake</i>			DATE 07/21/05	
2 0 2	FULL NAME OF INVENTOR	LAST NAME Rubin	FIRST NAME Paul	MIDDLE NAME D.	
	RESIDENCE & CITIZENSHIP	CITY Sudbury	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 37 Greystone Lane	CITY Sudbury	STATE OR COUNTRY MA	ZIP CODE 01776
	SIGNATURE OF INVENTOR 202			DATE	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Jerussi	FIRST NAME Thomas	MIDDLE NAME P.	
	RESIDENCE & CITIZENSHIP	CITY Charleston	STATE OR FOREIGN COUNTRY SC	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 2224-5C Folly Road	CITY Charleston	STATE OR COUNTRY SC	ZIP CODE 29412
	SIGNATURE OF INVENTOR 203			DATE	
2 0 4	FULL NAME OF INVENTOR	LAST NAME Lu	FIRST NAME Zhi-Hui	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Glen Allen	STATE OR FOREIGN COUNTRY VA	COUNTRY OF CITIZENSHIP China	
	POST OFFICE ADDRESS	STREET 11705 Bosworth Drive	CITY Glen Allen	STATE OR COUNTRY VA	ZIP CODE 23059
	SIGNATURE OF INVENTOR 204			DATE	
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
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	SIGNATURE OF INVENTOR 205			DATE	



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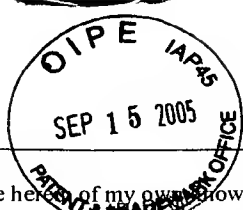
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	SIGNATURE OF INVENTOR 202 			DATE 6/29/05	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Jerussi	FIRST NAME Thomas	MIDDLE NAME P.	
	RESIDENCE & CITIZENSHIP	CITY Charleston	STATE OR FOREIGN COUNTRY SC	COUNTRY OF CITIZENSHIP U.S.A.	
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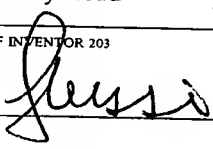
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SIGNATURE OF INVENTOR 201			DATE	
202	FULL NAME OF INVENTOR	LAST NAME Rubin	FIRST NAME Paul	MIDDLE NAME D.
	RESIDENCE & CITIZENSHIP	CITY Sudbury	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 37 Greystone Lane	CITY Sudbury	STATE OR COUNTRY MA
SIGNATURE OF INVENTOR 202			DATE	
203	FULL NAME OF INVENTOR	LAST NAME Jerussi	FIRST NAME Thomas	MIDDLE NAME P.
	RESIDENCE & CITIZENSHIP	CITY Charleston	STATE OR FOREIGN COUNTRY SC	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 2224-5C Folly Road	CITY Charleston	STATE OR COUNTRY SC
SIGNATURE OF INVENTOR 203 			DATE 7/8/05	
204	FULL NAME OF INVENTOR	LAST NAME Lu	FIRST NAME Zhi-Hui	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Glen Allen	STATE OR FOREIGN COUNTRY VA	COUNTRY OF CITIZENSHIP China
	POST OFFICE ADDRESS	STREET 11705 Bosworth Drive	CITY Glen Allen	STATE OR COUNTRY VA
SIGNATURE OF INVENTOR 204			DATE	
205	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
SIGNATURE OF INVENTOR 205			DATE	



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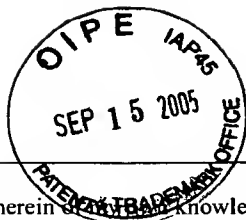
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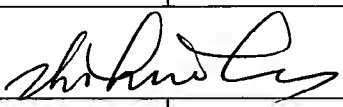
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